That I am an attorney, licensed to practice law in all courts of the

Concurrently filed with this Motion is Exhibit A. The documents

State of California and in the United States District Court - Northern District of

California. I have personal knowledge of all facts set forth in this Declaration.

attached to Exhibit A were caused to be faxed to Plaintiff's counsel on the dates set

I declare under penalty of perjury of the laws of United States that the facts

set forth in this Declaration are true and correct under and that this Declaration was

forth on the facsimiles. Until this Motion was filed, I never received any return

call or fax responding to my facsimiles and my desire to meet and confer

I, LARRY ROTHMAN, declare as follows:

2

3

4

5

2

concerning discovery items of dispute.

signed in Orange, California on this date.

DATED:

7

8

10

11 12

13

14

15 16

17

18 19

20

21

22

23

25

26

27 28

2

DECLARATION OF LARRY ROTHMAN

C08 00991 JF(rx)

BY:

LARRY ROTHMAN

Declarant

PROOF OF SERVICE

State of California, County of Orange:

I am employed in the county and state aforesaid. I am over the age of 18 and not a party to the within action; my business address is: 1 City Boulevard West, Suite 850, Orange, California 92868

On August 26, 2008, I served the foregoing document described

as:

DECLARATION OF LARRY ROTHMAN

on the parties listed below in this action by placing a true copy thereof or the originals via electronic mail through the ECF system of the United States District Court to the following

Fred W. Schwinn, Esq. Consumer Law Center, Inc. 12 South First Street, Suite 1014 San Jose, California 95113-2418

- [X] BY ELECTRONIC MAIL. I caused the above document to be electronically mailed through the ECF system of the United States District Court. Executed on August 26, 2008, at Orange California.
- [X] FEDERAL. I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

I declare under penalty of perjury under the laws of United States and the State of California that the above is true and correct.

LARRY ROTHMAN